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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

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19 ORACLE AMERICA, INC.,
20 Plaintiff,
21 v.
22 GOOGLE INC.,
23 Defendant.

Case No. 3:10-cv-03561 WHA

**DECLARATION OF MARK H. FRANCIS
IN SUPPORT OF DEFENDANT GOOGLE
INC.S' REPLY IN SUPPORT OF THE
MOTION TO STRIKE PORTIONS OF
THE MITCHELL PATENT REPORT**

24 Date: September 29, 2011
Time: 8:00 a.m.
Courtroom: 9, 19th Floor
Judge: The Honorable William Alsup
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26 Trial Date: October 31, 2011
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1 I, MARK H. FRANCIS, declare as follows:

2 1. I am an associate in the law firm of King & Spalding LLP, counsel for defendant
3 Google Inc. ("Google") in this case. I submit this declaration in support of Google's Reply in
4 support of the Motion To Strike Portions of Mitchell Patent Report. I make this declaration
5 based on my own personal knowledge. If called as a witness, I could and would testify
6 competently to the matters set forth herein.

7 2. Attached to this declaration as Exhibit G is a true and correct copy of pages 1, 19-
8 22, 38-39, 43-44, 61, 75, 77-78 from the transcript of the July 21, 2011 Rule 30(b)(6) deposition
9 of Patrick Brady (along with the Errata sheet and signature pages). Google's confidentiality
10 designation has been removed from the cover page and the pages included in Exhibit G.

11

12 I declare under penalty of perjury that all the foregoing facts are true and correct and that
13 this declaration was executed on September 19, 2011 in New York, New York.

14

/s/ Mark H. Francis /s/

Mark H. Francis

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I hereby attest that Mark H. Francis concurs in the e-filing of this document.

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/s/ Cheryl Sabnis /s/

Cheryl Sabnis

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